

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Goldstein, et al.  
Serial No. : 09/120,030 Examiner: To Be Assigned  
Filed : July 21, 1998 Group Art Unit: 1633  
For : METHOD FOR THE TREATMENT OF STAPHYLOCOCCAL  
DISEASE



I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to : The Assistant Commissioner for Patents, Washington, D.C. 20231, on October 2, 1998.

Richard J. Sterner  
Agent Name  
*Richard J. Sterner*  
Signature

35,372  
PTO Reg. No.  
October 2, 1998  
Date of Signature

**BOX MISSING PARTS**

The Assistant Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF APPLICATION**

Sir:

This is in response to the Notice mailed August 6, 1998. (A copy of the Notice is provided herewith as part of the Response. The Assistant Commissioner is hereby authorized to charge the \$130.00 surcharge set forth in 37 C.F.R. §1.16(e) to Deposit Account No. 23-1703.

On the Notice is indicated that Applicants must also submit the \$790.00 basic filing fee, an \$82.00 fee for one (1) additional independent claim and an \$858.00 fee for thirty-nine (39) additional dependent claims. Accordingly, the Assistant

Commissioner is also hereby authorized to charge those fees, a total of \$1,730.00, to Deposit Account No. 23-1703.

Finally, enclosed herewith is a Declaration executed by all four of the named inventors of this application.

No other fee should be due in connection with this Response. However, should it be deemed that an additional fee is required for any reason, the Assistant Commissioner is hereby authorized to charge it to the same Deposit Account.

Dated: October 2, 1998

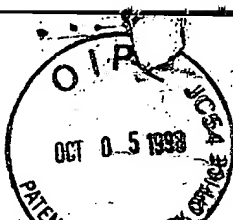
Respectfully submitted,



Richard J. Sterner  
Reg. No. 35,372

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New York, New York 10036  
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**Enclosures**



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	TRADEMARK/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/120,030	07/21/98	1102870-0456	1102870-0456

0242/0806

WHITE & CASE  
PATENT DEPARTMENT  
1155 AVENUE OF THE AMERICAS  
NEW YORK NY 10036

NOT ASSIGNED

1633

DATE MAILED:

08/06/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

*If all required items on this form are filed within the period set above, the total amount owed by applicant as a*

☐ small entity (statement filed) ☒ non-small entity is \$ 1,160

☒ 1. The statutory basic filing fee is:

- ☒ missing.  
☒ insufficient.

Applicant must submit \$ 790 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.

\$ 32 for 1 independent claims over 3.

\$ 858 for 39 dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.  
☒ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by

10/27/1998 09:13:00 00000000 00000000 00000000 00000000

01 FC:101 The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42,

02 FC:102 1.43 or 1.44 or 1.45

03 FC:103 A proper oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above

04 FC:105 Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☒ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

*T-4 Lued*  
**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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